

**U.S. Environmental Protection Agency
 Region IX
 75 Hawthorne Street
 San Francisco, Ca 94105-3901
 Permit No. CA0048160
 NPDES Requirements**

**California Regional Water Quality Control Board
 Central Coast Region (3)
 895 Aerovista Place, Suite 101
 San Luis Obispo, Ca 93401-7906
 Order No. R3-2004-0129
 Draft Waste Discharge Requirements**

**FOR
 GOLETA SANITARY DISTRICT
 WASTEWATER TREATMENT FACILITY,
 SANTA BARBARA COUNTY**

The California Regional Water Quality Control Board, Central Coast Region (Regional Board), and the Regional Administrator, U.S. Environmental Protection Agency, Region IX (EPA) find that:

SITE OWNER AND LOCATION

1. The Goleta Sanitary District (Discharger, Permittee, or District) operates a wastewater collection, treatment, and disposal system (a Publicly Owned Treatment Works, or POTW) to provide sewerage service to Goleta Sanitary District, Goleta West Sanitary District, University of California at Santa Barbara, Santa Barbara Municipal Airport, and facilities of Santa Barbara County.
2. The Discharger’s Wastewater Treatment Facility (Facility) is on property owned by the Discharger at 1 William Moffett Place, Goleta, CA, 93117, (T4N, R28W, Section 17, SB B&M) as shown on Attachment "A".

PURPOSE OF ORDER

3. This Order renews the Discharger’s National Pollutant Discharge Elimination System (NPDES) permit. The Discharger applied for reissuance of its 301(h) modified NPDES permit on December 8, 2003, and requested to renew the following effluent limitations:

Effluent limitations

Wastewater constituent	Monthly (30-day) Average	Daily Maximum
Biochemical Oxygen Demand (mg/L)	98	150
Suspended Solids (mg/L)	63	100
pH	6.0 - 9.0	

4. Although NPDES permits issued to publicly owned treatment works generally require secondary treatment of wastewater (33 U.S.C. §1311(b)(1)(B)), Congress authorized waivers of secondary treatment requirements under Clean Water Act (CWA) Section 301(h) (33 U.S.C. §1311(h)). To qualify for a waiver, a discharge must satisfy the conditions of Section 301(h), and applicable regulations including, without limitation, Code of Federal Regulations, Title 40, Part 124, Subpart G. U.S. EPA and the Regional Board jointly issued the District a 301(h) permit (No. CA0048160) U.S. EPA on July 26, 1996 (the “Permit”). On January 23, 2001, Goleta applied to U.S. EPA and the Regional Board for another 301(h) permit. The Regional Board considered the record in favor and against the Permit renewal. On July 12, 2002, the Regional Board adopted Resolution No. R3-2002-0077 denying CWA section 401 water quality

certification (401 certification) and denying concurrence with the CWA Section 301(h) variance (301(h) concurrence). The Resolution, as subsequently amended, required the District to submit a modified NPDES permit application to the Regional Board within 45 days after the State Water Resources Control Board (State Board) acted on the Discharger's petition challenging Resolution R3-2002-0077. The petition was deemed denied by operation of law on January 22, 2003.

5. On December 4, 2003, the District submitted an application for an updated permit providing for a flow limit of 7.64 million gallons per day (MGD), Regional Board 301(h) concurrence, and a CWA Section 401 Water Quality Certification Application. On December 19, 2003, the District provided CEQA documentation for the 401 Certification. On December 30, 2003 the Regional Board denied 401 certification without prejudice. On January 28, 2004, the District requested the Regional Board to proceed with the processing of the application. On March 2, 2004, the District requested the Regional Board not to process the pending application and stated that if the District decided not to propose a conversion schedule by May 7, 2004, the District would ask the Regional Board to recommence its processing of the application. On May 7, 2004, the District stated that it had determined that it would be in the best interests of its constituents to propose an amendment to its pending application to convert to secondary treatment and to further explore how such an amendment might be structured.
6. On February 20, 2004, the District filed a Petition for Writ of Mandate in Santa Barbara County Superior Court (the "Petition"), and amended the petition on April 21, 2004. The Regional Board and the Discharger are engaged in settlement negotiations. The proposed settlement would require the District to upgrade the facility to full secondary treatment within ten years as long as the total suspended solids (TSS) and biological oxygen demand (BOD) limits remain the same as in the Discharger's existing permit. If the Regional Board approves this permit, it will also issue a 401 certification and 301(h) concurrence. This draft permit is not an action of the Regional Board and does not constitute 401 certification or 301(h) concurrence. Neither the Regional Board nor its staff has determined whether the

Discharger has satisfied the requirement of Resolution R3-2002-0077, since that issue will be moot if the Discharger and Regional Board reach a settlement. The Regional Board reserves the right to make a determination whether the December 2003 application satisfies Resolution R3-2002-0077.

FACILITY DESCRIPTION

7. **Facility operations and treatment capacity.** All wastewater flows up to 4.4 MGD flow through primary sedimentation basins and secondary treatment facilities, including biofiltration, solids-contact, and secondary clarification. Wastewater flows greater than 4.4 MGD receive primary treatment only, and are blended with the secondary-treated wastewater and disinfected by chlorination/dechlorination prior to ocean discharge. Sludge is anaerobically digested, stored in stabilization basins, air-dried, and used as a soil conditioner. Industrial wastewater is subject to waste pretreatment requirements. The facility has the following primary and secondary design capacities:

<u>Primary Treatment Waste Loading</u>	<u>MGD</u>
Average Dry Weather Flow	9.0
Peak Seasonal Dry Weather Flow	9.7
Peak Dry Weather Flow	17.0
Peak Wet Weather Flow	25.4
<u>Secondary Treatment Waste Loading</u>	<u>MGD</u>
Constant Flow	4.4

8. **Discharge type and disposal.** Treated municipal wastewater is discharged to the Pacific Ocean through an ocean outfall/diffuser system 5,912 feet long. The outfall terminates in the Santa Barbara Channel (34°24'06" N Latitude, 119°49'27" W Longitude) at an average depth of 87 feet. The outfall location is shown on Attachment "A". Critical (minimum) initial dilution for determining compliance with toxic materials objectives from Chapter II, Table B of the Water Quality Control Plan for Ocean Waters of California (Ocean Plan) is 111:1.
9. **Wastewater Reclamation.** The facility provides tertiary wastewater treatment by means of coagulation, flocculation, filtration, and additional disinfection processes. The additional treatment allows the Discharger to provide up to 3.3 MGD of

reclaimed wastewater for landscape irrigation in the Goleta area and surrounding areas of Santa Barbara County, for incidental uses at the facility. Water Reclamation Requirements Order No. 91-03 governs the use of the reclaimed wastewater in accordance with the wastewater reclamation criteria specified in Title 22 of the California Code of Regulations.

10. **Changes to Order.** The Order includes the following:
 - Updates to numeric effluent limits derived from Ocean Plan Table B in accordance with the December 2001 Ocean Plan. Effluent limits are based on Table B.
 - New and updated narrative requirements in accordance with the December 2001 Ocean Plan.
 - New requirements for wastewater collection system, described in Section D: *Wastewater Collection System Requirements*.
 - Modified requirements for Biosolids pursuant to standard NPDES permit language provided by EPA.
 - Findings regarding a ten-year upgrade to full secondary treatment.
11. **Changes to Monitoring and Reporting Program (MRP).** The Discharger is required to comply with MRP No. R3-2004-0129, which is part of this Order. The MRP includes updated analytical methods and reporting from the December 2001 Ocean Plan.
12. Oil naturally seeps from Pacific Ocean's seafloor in the vicinity of the discharge.
13. The Regional Board and EPA classify this discharge as a major discharge because it exceeds 1.0 MGD.
14. **Ocean Plan.** The State Water Resources Control Board (State Board) revised the Water Quality Control Plan, Ocean Waters of California (Ocean Plan) on December 3, 2001. It is updated periodically. The Ocean Plan contains water quality objectives and other requirements governing discharges to the Pacific Ocean.
15. **Basin Plan.** The Water Quality Control Plan, Central Coastal Basin (Basin Plan) was last revised and adopted by the Regional Board on September 8, 1994. It is updated periodically. The Basin Plan incorporates State Board plans and policies by reference and contains a strategy for protecting beneficial uses of the Pacific Ocean.
16. **Beneficial uses.** Existing and anticipated beneficial uses of the ocean waters in the vicinity of the discharge include:
 - a. Industrial water supply;
 - b. Water contact and non-water contact recreation;
 - c. Navigation;
 - d. Commercial and sport fishing;
 - e. Mariculture;
 - f. Preservation of Rare and Endangered Species;
 - g. Migration of Aquatic Organisms;
 - h. Fish spawning;
 - i. Marine Habitat, and;
 - j. Shellfish harvesting.
17. The shellfishing beneficial use (see Finding 16) exists wherever mussels, clams, or oysters may be harvested for human consumption. To the knowledge of this Regional Board: 1) habitat for mussels is very limited within one mile of the discharge point and exists only at shoreline areas greater than one mile from the discharge (e.g., Goleta Point); 2) clamming activity is insignificant within one mile of the discharge point, and; 3) mariculture lease sites for oyster harvesting are located approximately four miles downcoast (east) of the discharge point, within one mile of the shoreline.
18. The California Department of Health Services has established a prohibitive zone for commercial shellfish harvesting within a one-mile radius of the discharge point.
19. **Reopener.** This Order and Permit may be modified by the Regional Board and EPA to address changes in effluent quality and/or changes in receiving water quality within the prohibitive zone, attributed all, or in part, to the diversion of secondary-treated wastewater for the purpose of reclamation. Such modifications may include but are not limited to, the implementation of appropriate conditions or limitations based on newly available information or new State water quality standards.
20. **Pretreatment program.** The Discharger submitted an industrial pretreatment program under 40 CFR 403. This program was approved by the EPA on

July 19, 1983, and has been implemented. Forty-four technical local limits were adopted by the Discharger on May 1, 1992.

21. The requirements in this Order and Permit are based on the Ocean Plan, Basin Plan, other Federal and State plans and policies, current facility performance, and best engineering judgment.
22. **Facility upgrade.** As a condition of issuance of the proposed Order, the District will agree to milestones for upgrading the facility to achieve the secondary treatment standards of 40 C.F.R §133.102 within ten years. The milestone schedule is included in the Fact Sheet, and will be inserted here, with additional findings proposed by the Executive Officer, before the hearing. The settlement also provides for enhanced treatment if the effluent average weekly mass emissions for TSS or BOD measured over the three-month period of June, July, and August of each year exceed eighty-five percent (85%) of the mass emissions limit set forth in the proposed Order.
23. **CEQA.** The issuance of Waste Discharge Requirements and Section 401 water quality certification for this discharge is exempt from provisions of the California Environmental Quality Act (Division 13 of the Public Resources Code, commencing with Section 21000, et. seq.), in accordance with 14 California Code of Regulations Section 15301 (existing facilities). The issuance of NPDES permits is exempt from CEQA pursuant to California Water Code Section 13389.
24. **California Water Code Section 13263.6(a).** Evaluation of wastewater constituents determined no need exists to include effluent limitations in accordance with Section 13263.6(a).
25. **Ocean Plan Table B Effluent Limits.** The Ocean Plan specifies numeric water quality objectives for the constituents specified in the Effluent Monitoring Section of Monitoring and Reporting Program No. R3-2004-0129. Order Section B.5 specifies effluent limitations based on the Ocean Plan's water quality objectives.
26. **Anti-backsliding.** Effluent limitations included in Order No. R3-2004-0129 are equal to or more stringent than those in Order No. 96-21. Therefore, the proposed effluent limitations do not constitute

backsliding in accordance with U.S.C. § 1342(O)(2)(b)(I).

27. **Anti-degradation.** Waste discharge requirements for this discharge must be in conformance with 40 CFR 131.12 and State Board Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters in California* (known collectively as "anti-degradation" policies). These policies are intended to maintain and protect the existing beneficial uses of receiving waters and the levels of water quality necessary to achieve those goals.
28. **Storm water.** Water Quality Order No. 97-03-DWQ (NPDES General Permit No. CAS000001) regulates the discharge of storm water from the facility.

WASTEWATER COLLECTION SYSTEM

29. The Discharger's sanitary sewer (wastewater collection) system collects wastewater using pipes, pumps, and/or other conveyance systems, and directs the raw sewage to the wastewater treatment facility. A "wastewater collection system overflow" is defined as a discharge to ground or surface water from the wastewater collection system at any point upstream of the wastewater treatment facility. Temporary storage and conveyance facilities (such as wet wells, regulated impoundments, tanks, highlines, etc.) may be part of a wastewater collection system, and discharges to these facilities are not considered wastewater collection system overflows provided that the waste is fully contained within these temporary storage/conveyance facilities.
30. Wastewater collection system overflows consist of varying mixtures of domestic sewage, industrial wastewater, and commercial wastewater, the mixture depending upon the pattern of land use in the wastewater collection system tributary to an overflow location. The chief causes of wastewater collection system overflows include, but are not limited to, line blockages due to grease, roots, or debris, sewer line flood damage, manhole structure failures, vandalism, pump station mechanical failures, power outages, storm or ground water inflow/infiltration, lack of capacity, and contractor-related incidents.
31. Wastewater collection system overflows often contain high levels of suspended solids, pathogenic organisms, toxic pollutants, nutrients, oxygen demanding organic compounds, oil and grease, and

other pollutants. Wastewater collection system overflows can pose a threat to public health, cause temporary exceedances of applicable water quality objectives, adversely affect aquatic life, and impair the public recreational use and aesthetic enjoyment of surface waters in the area.

32. The Discharger is expected to take all necessary steps to adequately operate and maintain its wastewater collection system to prevent overflows. This Order requires that the Discharger continue to implement and update its Collection System Maintenance and Renovation Program, and further requires the development of a Wastewater Collection System Management Plan (see Section D, *Wastewater Collection System Requirements*, of this Order, and Attachment 1 to the MRP).
33. This Order requires the Discharger to report wastewater collection system overflows in accordance with MRP No. R3-2004-0129, Section XIII, *Wastewater Collection System Spill/Overflow Reporting*.
34. Goleta West Sanitary District, University of California at Santa Barbara, Santa Barbara Municipal Airport, and Santa Barbara County retain ownership and direct responsibility for wastewater collection and transport systems up to the point of discharge into interceptors owned and operated by the Discharger. These collection systems are subject to federal pretreatment requirements. It is incumbent upon these local wastewater collection entities (as building permit authorities) to protect the environment to the greatest degree possible and ensure their local collection systems, as well as the receiving wastewater collection system, are protected and utilized properly. This responsibility includes preventing overflows, and may include restricting or prohibiting the volume, type, or concentration of wastes added to the system.

At the November 19, 2004 Regional Board meeting, staff intends to recommend the regulation of all appropriate tributary wastewater collection agencies under proposed *Waste Discharge Requirements Order No. R3-2004-0130 for Local Wastewater Collection Agencies Tributary to the Goleta Sanitary District Wastewater Treatment Facility, Santa Barbara County*.

GENERAL FINDINGS

35. An Order and the privilege to discharge waste into waters of the State is conditional upon the discharge complying with provisions of Division 7 of the California Water Code and of the Clean Water Act (as amended or as supplemented by implementing guidelines and regulations) and with any more stringent effluent limitations necessary to implement water quality control plans, to protect beneficial uses, and to prevent nuisance. This Order shall serve as a NPDES permit pursuant to section 402 of the Clean Water Act.
36. Effective January 1, 2000, the Clean Water Enforcement and Pollution Prevention Act of 1999 (Act), amended California Water Code Section 13385. The Act requires the Regional Board to impose mandatory minimum penalties for certain violations. Failure to comply with NPDES Permit effluent limitations and certain other requirements and conditions contained in this Order may result in significant and mandatory enforcement action by the Regional Board. Overflows from wastewater collection systems (sanitary sewer overflows) are subject to discretionary administrative civil liability, but are not subject to mandatory minimum penalties.
37. On September 8, 2000, the Governor of California approved AB2800, which added sections to the Public Resources Code that are relevant to Areas of Special Biological Significance. Effective January 1, 2003, Section 36700(f) of the Public Resources Code named Areas of Special Biological Significance (ASBS) as State Water Quality Protection Areas (SWQPA).

The Ocean Plan prohibits the discharge of waste to designated ASBS except as provided in the Ocean Plan, Chapter III, Section E, *Implementation Provisions for ASBS*. Discharges shall be located a sufficient distance from such designated areas to assure maintenance of natural water quality conditions in these areas. ASBS are those areas designated by the State Water Resources Control Board (SWRCB) as requiring protection of species or biological communities to the extent that alteration of natural water quality is undesirable. ASBS are designated by the SWRCB following the procedures provided in Appendix IV of the Ocean Plan. See Appendix V of the Ocean Plan for ASBS designated at the time of this Order's issuance, and

subsequent revised listings established by the SWRCB for either ASBS or SWQPA.

The District does not discharge waste to ASBS, nor does staff have any information indicating that the discharge location is being considered for ASBS designation.

38. Any person affected by this action of the Regional Board may petition the State Water Resources Control Board (State Board) to review the action in accordance with Section 13320 of the California Water Code and Title 23, California Code of Regulations, Section 2050. The petition must be received by the State Board within 30 days of the adoption date of this Order. Copies of the law and

regulations applicable to filing petitions are available at <http://www.swrcb.ca.gov>, or will be provided upon request.

39. On **October 6, 2004**, the Regional Board and EPA notified the Discharger and interested persons of the intent to revise waste discharge requirements, provided them with a copy of the proposed Order and Permit and an opportunity to submit their written views and recommendations, and scheduled a public hearing.

40. In a public hearing on November 19, 2004, the Regional Board and EPA heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, pursuant to authority in Sections 13263, 13383, 13377, and 13523 of the California Water Code, and applicable provisions of the federal Clean Water Act and amendments, that the Goleta Sanitary District, its agents, successors, and assigns, may discharge waste from the Goleta Wastewater Treatment Facility to the Pacific Ocean providing they comply with the following:

All technical and monitoring reports submitted pursuant to this Order are required pursuant to Sections 13267 and 13383 of the California Water Code. Failure to submit reports in accordance with schedules established by this Order or attachments to this Order, or failure to submit a report of sufficient technical quality to be acceptable to the Executive Officer, may subject the Discharger to enforcement action pursuant to Sections 13268 and 13385 of the California Water Code.

(NOTE: General permit conditions, definitions and the methods of determining compliance are contained in the attached *Standard Provisions and Reporting Requirements for National Pollutant Discharge Elimination System Permits*, dated January 1985. Paragraph H.4 of this Order refers to applicable sections. Definitions are also contained in the Ocean Plan.

Requirements in this Order are provided with the following superscripts to indicate their origin:

- ^A Title 40, Code of Federal Regulations, Sections 122 and 133
- ^B California Ocean Plan
- ^C Central Coast Water Quality Control Plan (Basin Plan)
- ^D California Code of Regulations, Title 17, Sections 7957 and 7958

A. DISCHARGE PROHIBITIONS

- 1. Discharge of treated wastewater at a location other than 34°24'06" N Latitude, 119°49'27" W Longitude is prohibited.
- 2. Bypass of the treatment facility and discharge of any wastes not meeting the discharge specifications of this Order and Permit is prohibited.

B. EFFLUENT LIMITATIONS

- 1. Effluent daily dry-weather flow shall not exceed a monthly average of 7.64 MGD.
- 2. The Discharger shall, as a 30-day average, remove at least 30% of the biochemical oxygen demanding materials (BOD₅) from the influent stream before discharging wastewater to the ocean. The Discharger shall, as a 30-day average, remove at least 75% of the suspended solids (total non-filtrable residue) from the influent stream before discharging wastewater to the ocean, except that the effluent limitation to be met shall not be lower than 60 mg/L. In addition, effluent concentrations shall not exceed the following limitations:

Constituent	Units	Monthly (30-day) Average	Maximum at any time
BOD ₅ (20°C)	mg/L	98	150
	lbs/day ¹	6,240	9,560
Suspended Solids	mg/L	63	100
	lbs/day ¹	4,010	6,370

3. The Ocean Plan states that waste discharge requirements shall also specify effluent limitations in terms of mass emission rate limits utilizing the general formula:

$$\text{lbs/day} = 0.00834 \times C_e \times Q$$

where:

C_e = the effluent concentration limit, in µg/L, and;

Q = the flow rate observed over the concentration limit's period (e.g., daily, weekly, monthly/30-day, 6-month), in millions of gallons per day (MGD)

[Note: If C_e expressed in units of mg/L, use a conversion factor of 8.34 instead of 0.00834.]

This formula applies to Five-Day Carbonaceous Biochemical Oxygen Demand (CBOD₅) and Total

Suspended Solids (TSS) (shown above in the maximum allowable mass emission rates of Effluent Limitation No. B.2), to Table A effluent limits for Oil & Grease, and to Table B.

4. For average daily dry weather flows equal to or less than 7.64 MGD, the effluent mass emission rate shall not exceed the "**Maximum Allowable Mass Emission Rate.**" The "**Maximum Allowable Mass Emission Rate,**" whether for a month, week, day, or six-month period, is a daily rate determined with the formula in Effluent Limitation B.3 using the effluent concentration limit specified in this permit for the period and the average of measured daily flows (up to the allowable flow) over the period (see Standard Provisions G.11 - 13).

5. Effluent concentrations shall not exceed the limitations specified in Tables A and B of this Order^B.

a. TABLE A - MAJOR WASTEWATER CONSTITUENTS AND PROPERTIES

Constituent	Units	Monthly (30-day) Average	Weekly (7-day) Average	Maximum at any time
Grease and Oil	mg/L	25	40	75
	lbs/day ¹	1,590	2,550	4,780
Settleable Solids	mL/L	1.0	1.5	3.0
Turbidity	NTU	75	100	225
pH	pH units	Within limits of 6.0 to 9.0 at all times		

b. TABLE B – EFFLUENT LIMITS FOR THE PROTECTION OF MARINE AQUATIC LIFE²

Constituent	Units of Measurement	6-Month Median	Daily Maximum	Instantaneous Maximum
Arsenic	mg/L	0.56	3.2	8.6
Cadmium	mg/L	0.11	0.45	1.1
Chromium (Hex) ³	mg/L	0.22	0.90	2.2
Copper	mg/L	0.11	1.1	3.1
Lead	mg/L	0.22	0.90	2.2
Mercury	µg/L	4.4	18	45
Nickel	mg/L	0.56	2.2	5.6

b. TABLE B – EFFLUENT LIMITS FOR THE PROTECTION OF MARINE AQUATIC LIFE ²

Constituent	Units of Measurement	6-Month Median	Daily Maximum	Instantaneous Maximum
Selenium	mg/L	1.7	6.7	17
Silver	µg/L	61	300	770
Zinc	mg/L	1.4	8.1	22
Cyanide	mg/L	0.11	0.45	1.1
Total Chlorine Residual	mg/L	0.22	0.90	6.7
Ammonia (as N)	mg/L	67	270	670
Acute toxicity	TU _a	--	3.6	--
Chronic Toxicity	TU _c	N/A	112	N/A
Phenolic Compounds (non-chlorinated)	mg/L	3.4	13	34
Chlorinated Phenolics	µg/L	110	450	1,100
Endosulfan ⁴	µg/L	1.0	2.0	3.0
Endrin	µg/L	0.22	0.45	0.67
HCH ⁵	µg/L	0.45	0.90	1.3
Radioactivity	Not to exceed limits specified in Title 17, Division 1, Chapter 5, Subchapter 4, Group 3, Article 3, Section 30253 of the California Code of Regulations. Reference to Section 30253 is prospective, including future changes to any incorporated provisions of federal law, as the changes take effect.			

PROTECTION OF HUMAN HEALTH - NON-CARCINOGENS ²

Constituent	Units	30-day average
Acrolein	mg/L	25
Antimony	mg/L	130
bis(2-chloroethoxy) methane	mg/L	0.49
bis(2-chloroisopropyl) ether	mg/L	130
Chlorobenzene	mg/L	64
chromium (III)	g/L	21
di-n-butyl phthalate	mg/L	390
Dichlorobenzenes	mg/L	570
diethyl phthalate	g/L	3.7
dimethyl phthalate	g/L	92
4,6-dinitro-2-methylphenol	mg/L	25
2,4-dinitrophenol	mg/L	0.45
Ethylbenzene	mg/L	460
Fluoranthene	mg/L	1.7
Hexachlorocyclopentadiene	mg/L	6.5
Nitrobenzene	mg/L	0.55
Thallium	mg/L	0.22
Toluene	g/L	9.5
Tributyltin	µg/L	0.16
1,1,1-trichloroethane	g/L	60

PROTECTION OF HUMAN HEALTH – CARCINOGENS ²

Acrylonitrile	ug/L	11
Aldrin	ng/L	2.5
Benzene	µg/L	660
Benzidine	µg/L	0.0077
beryllium	µg/L	3.7
bis(2-chloroethyl) ether	µg/L	5.0
bis(2-ethylhexyl) phthalate	µg/L	390
carbon tetrachloride	µg/L	100
Chlordane ⁶	ng/L	2.6
chlorodibromomethane	µg/L	960
chloroform	mg/L	15
DDT ⁷	ug/L	0.019
1,4-dichlorobenzene	mg/L	2.0
3,3'-dichlorobenzidine	µg/L	0.91
1,2-dichloroethane	mg/L	3.1
1,1-dichloroethylene	µg/L	100
dichlorobromomethane	µg/L	690
dichloromethane	mg/L	50
1,3-dichloropropene	mg/L	1.0
dieldrin	ng/L	4.5
2,4-dinitrotoluene	µg/L	290
1,2-diphenylhydrazine	µg/L	18
halomethanes	mg/L	15
Heptachlor ⁸	µg/L	0.0056
Heptachlor epoxide	µg/L	0.0022
hexachlorobenzene	ug/L	0.024
hexachlorobutadiene	mg/L	1.6
hexachloroethane	µg/L	280
Isophorone	mg/L	82
N-nitrosodimethylamine	µg/L	820
N-nitrosodi-N-propylamine	µg/L	43
N-nitrosodiphenylamine	µg/L	280
PAHs ⁹	µg/L	0.99
PCBs ¹⁰	µg/L	0.0021
TCDD equivalents ¹¹	pg/L	0.44
1,1,2,2-tetrachloroethane	mg/L	0.26
tetrachloroethylene	µg/L	220
toxaphene	µg/L	0.024
trichloroethylene	mg/L	3.0
1,1,2-trichloroethane	mg/L	1.0
2,4,6-trichlorophenol	ug/L	32
vinyl chloride	mg/L	4.0

c. No more than 10 percent of the final effluent samples in any monthly (30-day) period shall exceed a total coliform organism density of 2,400 per 100 mL, and no sample shall exceed 16,000 per 100 mL. The density of Total Coliform organisms shall also be monitored

during chlorine contact tank maintenance procedures (see MRP Section II, *Effluent Monitoring*). As soon as possible after learning of a significant loss of effluent disinfection, the Discharger shall notify the Department of Health Services Preharvest

Shellfish Sanitation Unit, the Regional Board, and any certified commercial shellfish growers whose growing areas are within five miles of the outfall.

e. Materials that result in aesthetically undesirable discoloration of the ocean surface.

- d. If the density of Total Coliform organisms exceeds the limit specified in Item 5.c., above, for three consecutive samples, the Discharger shall submit a technical engineering report, in addition to monthly monitoring reports, for the approval of the Executive Officer. The report shall include, but not be limited to, measures to identify sources of the exceedances, if not already identified, and measures to correct the deficiencies. The Discharger shall submit the report within 30 days of the end of the third month of violating the limitation. In addition, the Discharger shall monitor the surf-zone stations daily for one week following the last day on which violation of the effluent limitation occurred.
 - e. A Total Chlorine Residual of 5 mg/L or greater (calculated as a 7-day average) shall be maintained at the end of the chlorine contact tank. Daily grab samples shall represent maximum chlorination effectiveness under total suspended solids peak loading conditions. The chlorine contact tank shall be operated and maintained to provide maximum chlorination effectiveness at all times.
 - f. The Discharger shall report violations of the "Instantaneous Maximum" or "Maximum Allowable Daily Mass Emission Rate" to the Regional Board within 24-hours of discovery.
3. Discharged effluent must be essentially free of: ^B
- a. Material that is floatable or will become floatable upon discharge.
 - b. Settleable material or substances that may form sediments which will degrade benthic communities or other aquatic life.
 - c. Substances that will accumulate to toxic levels in marine waters, sediments or biota.
 - d. Substances that significantly decrease the natural light to benthic communities.

FOOTNOTES (Effluent Limitations)

- [1] Mass emissions rate limitations are based on the annual monthly average design flow of 7.64 MGD
- [2] Based on Ocean Plan, Chapter II, Table B toxic materials objectives and a calculated critical initial dilution of 111:1. If actual dilution is found to be less than 111:1, these limitations will be recalculated.
- [3] Dischargers may at their option meet this limitation as total chromium limitation.
- [4] ENDOSULFAN shall mean the sum of endosulfan-alpha and -beta and endosulfan sulfate.
- [5] HCH shall mean the sum of the alpha, beta, gamma (lindane), and delta isomers of hexachlorocyclohexane.
- [6] CHLORDANE shall mean the sum of chlordane-alpha, chlordane-gamma, chlordene-alpha, chlordene-gamma, nonachlor-alpha, nonachlor-gamma, and oxychlordane.
- [7] DDT shall mean the sum of 4,4'-DDT, 2,4'-DDT, 4,4'-DDE, 2,4'-DDE, 4,4'-DDD, and 2,4'-DDD.
- [8] HEPTACHLOR formerly meant the sum of heptachlor and heptachlor epoxide. Each specie is now listed separately.
- [9] PAHs (polynuclear aromatic hydrocarbons) shall mean the sum of acenaphthylene, anthracene, 1,2-benzanthracene, 3,4-benzofluoranthene, benzo[k]fluoranthene, 1,12-benzoperylene, benzo[a]pyrene, chrysene, dibenzo[ah]anthracene, fluorene, indeno[1,2,3-cd]pyrene, phenanthrene, and pyrene.
- [10] PCBs (polychlorinated biphenyls) shall mean the sum of chlorinated biphenyls whose analytical characteristics resemble those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254, and Aroclor-1260.

- [11] TCDD EQUIVALENTS shall mean the sum of the concentrations of chlorinated dibenzodioxins (2,3,7,8-CDDs) and chlorinated dibenzofurans (2,3,7,8-CDFs) multiplied by their respective toxicity factors, as shown below:

Isomer Group	Toxicity Equivalence Factor
2,3,7,8-tetra CDD	1.0
2,3,7,8-penta CDD	0.5
2,3,7,8-hexa CDDs	0.1
2,3,7,8-hepta CDD	0.01
octa CDD	0.001
2,3,7,8-tetra CDF	0.1
1,2,3,7,8-penta CDF	0.05
2,3,4,7,8-penta CDF	0.5
2,3,7,8-hexa CDFs	0.1
2,3,7,8-hepta CDFs	0.01
octa CDF	0.001

C. RECEIVING WATER LIMITATIONS^{B, D}

Receiving water quality is a result of many factors, some unrelated to the discharge. This Order and Permit considers these factors and is designed to minimize the influence of the discharge to the receiving water.

At the time of this Order's consideration for adoption, the State Board proposed revisions to the Ocean Plan which may significantly affect Sections C.1 and C.2 below, and MRP Section IV. The Executive Officer will formally notify the Discharger of the applicability of any such Ocean Plan changes. The Regional Board may defer the formal revision of this Order and MRP until the next scheduled renewal if permitted by the Ocean Plan, or may reopen the Order to amend it to comply with the Ocean Plan revisions.

1. The discharge shall not cause following bacterial objectives to be exceeded throughout the water column within a zone bounded by the shoreline and a distance of 1,000 feet from the shoreline, or the 30-foot depth contour, whichever is further from the shoreline, and in areas outside this zone used for water contact sports, as determined by the Regional Board, but including all kelp beds:

<u>Parameter Applicable</u>	<u>Total Coliform Organisms (# / 100 mL)</u>	<u>Fecal Coliform Organisms (# / 100 mL)</u>
Log Mean (30-day period)	--	200
90% of samples (60-day period)	--	400
80% of samples (60-day period)	1,000	--
Maximum*	10,000	--

* Verified by a repeat sample taken within 48 hours.

If the ratio of fecal to total coliform in a single sample exceeds 0.1, the density of total coliform organisms shall not exceed 1,000 per 100 mL.^D

2. The enterococcus density, based on a single sample, shall not exceed 104 per 100 mL, nor shall the geometric mean, based on a minimum of at least five samples from a single sampling station for any 30-day period, exceed 35 per 100 mL.^D

- 3 The discharge shall not cause the following bacterial limits to be exceeded in the water column at all areas where shellfish may be harvested for human consumption, as determined by the Regional Board:

Parameter Applicable to any 30-day period	Total Coliform Organisms (# / 100 mL)
Median	70
90% of samples	230

4. Measurement of enterococcus density shall be conducted at all stations where measurement of total and fecal coliforms is required. If Receiving Water Limitations C.1 or C.2 is consistently exceeded, or the following enterococcus densities are exceeded, the Discharger shall conduct or participate in a bacterial assessment (sanitary survey) approved by the Executive Officer to identify the source(s) of bacteria:

Parameter Applicable	Enterococcus Organisms (# / 100 mL)
Geometric Mean (30-day)*	24
Geometric Mean (6-month)*	12

* The geometric mean shall be a moving average based on no less than five (5) samples per month, spaced evenly over the time interval.

When a sanitary survey identifies a controllable source of indicator organisms associated with a discharge of sewage, the Discharger shall take action to control the source. The Discharger shall conduct sanitary surveys when so directed by the Regional Board or the Executive Officer.

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| <p>5. Floating particles and grease and oil shall not be visible on the ocean surface.</p> <p>6. The discharge of “waste” shall not cause aesthetically undesirable discoloration of the ocean surface.</p> <p>7. “Natural light” shall not be “significantly” reduced at any point outside the “zone of initial dilution” as the result of the discharge of “waste”.</p> <p>8. The rate of deposition of inert solids and the characteristics of inert solids in ocean sediments shall not be changed such that benthic communities are degraded.</p> <p>9. The dissolved oxygen concentration shall not at any time be depressed more than 10 percent from that which occurs naturally^B, or fall below 5.0 mg/L^C, as the result of the discharge of oxygen demanding “waste” materials. The mean annual dissolved oxygen concentration shall not be less than 7.0 mg/L^C.</p> | <p>10. The pH shall not be changed at any time more than 0.2 units from that which occurs naturally, and shall be within the range of 7.0 to 8.5 at all times.</p> <p>11. The dissolved sulfide concentration of waters in and near sediments shall not be significantly increased above that present under natural conditions.</p> <p>12. In marine sediments, the concentration of toxic materials listed in the Ocean Plan, Chapter IV, Table B, shall not be increased above levels which would degrade indigenous biota.</p> <p>13. The concentration of organic materials in marine sediments shall not be increased to levels which would degrade marine life.</p> <p>14. Nutrient materials shall not cause objectionable aquatic growth or “degrade” indigenous biota.</p> <p>15. Marine communities, including vertebrate, invertebrate, and plant species, shall not be “degraded.”</p> |
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16. The concentration of organic materials in fish, shellfish, or other marine resources used for human consumption shall not bioaccumulate to levels that are harmful to human health.
17. The natural taste, odor, and color of fish, "shellfish," or other marine resources used for human consumption shall not be altered.
18. Discharge of radioactive "waste" shall not "degrade" marine life.
19. The temperature of the receiving water shall not be altered to adversely affect beneficial uses.
20. The discharge shall not cause deposition of sewage, sludge, grease, or other physical evidence of sewage discharge on beaches, rocks, or shorelines, and material of sewage origin shall not be visible in the water.
21. The discharge shall not cause a violation of any applicable water quality objective or standard for receiving waters adopted by the Regional Board or the State Board, as required by the Clean Water Act and regulations adopted thereunder. If more stringent water quality standards are promulgated or approved pursuant to section 303 of the CWA or amendments thereto, the Regional Board and EPA may revise and modify this Order and Permit in accordance with such more stringent standards.

D. WASTEWATER COLLECTION SYSTEM REQUIREMENTS

Wastewater Collection System Management Plan Development and Implementation

1. The Permittee shall develop and implement a Wastewater Collection System Management Plan (Management Plan) in accordance with the time schedule established in Section XI of Attachment 1 to MRP No. R3-2004-0129. The Management Plan shall be available to any member of the public upon written request.
2. The Permittee shall provide the Goleta West Sanitary District, University of California at Santa Barbara, Santa Barbara Municipal Airport, and Santa Barbara County with a copy of the Management Plan annual report required by this Order.

3. The essential elements of the Management Plan are outlined in Attachment 1 of MRP No. R3-2004-0129. All elements of the Management Plan outlined in MRP Attachment 1 shall be clearly labeled and addressed by the Permittee. If any element of MRP Attachment 1 is not appropriate or applicable to a Permittee's Management Plan, then the Plan shall provide the rationale for not including the element.
4. To facilitate continuity between the Permittee's existing wastewater collection system programs and the development and implementation of the Management Plan, the Plan shall incorporate within the appropriate Plan sections, but not be limited to, the Permittee's existing wastewater collection system programs, and the *Wastewater Collection System Overflow Prevention and Response* and *Infiltration/Inflow and Spill Prevention* requirements below.

Wastewater Collection System Overflow Prevention and Response

5. The Permittee shall coordinate with the appropriate local wastewater collection system entities on all relevant matters concerning the wastewater collection systems, pretreatment programs, and the wastewater treatment facility.
6. The Permittee shall minimize the discharge of chlorine, or any other toxic substance used for disinfection and cleanup of sewage overflows, to any surface water body. The Permittee shall take all reasonable steps to contain and prevent chlorine discharges to surface waters and minimize or correct any adverse impact on the environment resulting from the cleanup of overflows. The Permittee shall develop a monitoring program to evaluate the effectiveness of overflow cleanup protocols for protecting public health and the environment. Minimum protocols should include visual observation, sample collection, and sampling data analyses. The monitoring program shall be developed in coordination with the Regional Board and the Santa Barbara County Health Department. The Permittee shall submit a proposed monitoring program for Executive Officer review and approval **by April 1, 2005**.
7. The Permittee shall make every reasonable effort to prevent sewage overflows from its wastewater collection system and private systems from

entering storm drains and/or surface water bodies. The Permittee shall also make every reasonable effort to prevent sewage and/or chlorine used for disinfection of overflows from discharging from storm drains into flood control channels and open ditches by blocking the storm drainage system and by removing the sewage and/or chlorine from the storm drains.

8. Upon reduction, loss, or failure of the wastewater collection system resulting in a sewage overflow, the Permittee shall, to the extent necessary to maintain compliance with this Order, take any necessary remedial action to:
 - a. control or limit the volume of sewage discharged;
 - b. terminate the sewage discharge as rapidly as possible, and;
 - c. recover as much of the sewage discharged as possible for proper disposal, including any wash-down water.

The Permittee shall implement all remedial actions to the extent they may be applicable to the discharge, including the following:

- d. Interception and rerouting of sewage flows around the sewage line failure;
 - e. Vacuum truck recovery of wastewater collection system overflows and wash down water;
 - f. Cleanup of debris of sewage origin at the overflow site;
 - g. Sample affected receiving water body to ensure adequate clean-up, and;
 - h. Submit monitoring data to the Executive Officer within 30 days of sampling.
9. The discharge of untreated or partially treated sewage is prohibited pursuant to Standard Provisions, Prohibition A.4, and shall constitute a violation of these discharge requirements unless the Permittee demonstrates through properly signed, contemporaneous operating logs, or other relevant evidence that the following criteria are met:

- a. The discharge was caused by one or more severe natural conditions, including hurricanes, tornadoes, widespread flooding, earthquakes, tsunamis, and other similar natural conditions, and;
- b. There were no feasible alternatives to the discharge, such as the use of auxiliary treatment facilities, retention of untreated wastewater, reduction of inflow and infiltration, use of adequate backup equipment, or an increase in the capacity of the system. This provision is not satisfied if, in the exercise of reasonable engineering judgment, the Permittee should have installed auxiliary or additional collection system components, wastewater retention or treatment facilities, or adequate back-up equipment, or should have reduced inflow and infiltration.

10. In any enforcement action, the Regional Board will consider the efforts of the Permittee to contain, control, and clean up sewage overflows from its collection system as part of the Board's consideration of the factors required by Section 13385 of the California Water Code.

Infiltration/Inflow and Spill Prevention Measures

11. The Permittee shall continue to develop and implement infiltration, inflow, and spill prevention efforts to address problems associated with infiltration (e.g., groundwater entering into the collection system through defective pipe joints or connections to manholes), inflow (e.g., storm water entering manhole covers) and sewage spills (often caused by grease or root blockages). These activities shall be reviewed and updated as necessary **by September 1st of every year**, and shall be incorporated into the Wastewater Collection System Management Plan as required by this Order, and as outlined in Attachment 1 to MRP No. R3-2004-0129. [See Sections IV.(E) and IX.(A) of MRP Attachment 1 for Infiltration/Inflow related requirements.]
12. Infiltration, inflow, and spill prevention measures shall be developed in accordance with good engineering practices and shall address the following objectives:
 - a. Identify infiltration and inflow sources that may affect treatment facility operation or

possibly result in overflow or exceed pump station capacity; and,

- b. Identify, assign, and implement spill prevention measures and collection system management practices to ensure overflows and the contribution of pollutants (including illicit contributions) or "incompatible wastes" to the Discharger's treatment system are minimized.

13. Infiltration, inflow, and spill prevention measure documentation shall provide a description of the collection and transport system, measures used to ensure proper operation, and other information necessary to determine compliance with these requirements. The program shall include, at a minimum, the following items:

- a. A map showing collection system lines greater than 12 inches, pump stations, standby power facilities, surface water bodies (including discharge point(s) where pump station overflows may occur), storm drain inlets, and date of last revision.

- b. A narrative description of the following:

- 1) Line Flushing and Cleaning: Describe available equipment and projected schedule necessary to respond to the cleaning and flushing requirements for the collection system as necessary to prevent overflows, and assigned staff. Describe coordination with area plumbers to address introduction of "incompatible wastes" (e.g., root balls) during lateral cleaning, and efforts to abate introduction of materials (e.g., construction debris) into the system, which may cause system backup.
- 2) Visual System Inspection: Describe visual inspection methods (e.g., televising lines), replacement schedules, inspection frequency, collection system length, and assigned staff. Describe results and provide details regarding problem areas detected. Inspection records shall be retained for five years.
- 3) Inflow & Infiltration: Describe current and five-year projected investigation methods (e.g., smoke testing), frequency, results, and

efforts to reduce storm water inflows and sewer line exfiltration. Inspection records shall be retained for five years.

- 4) Preventive Repair and Replacement: Describe a projected schedule to eliminate sewage conveyance systems determined or projected to be structurally compromised. Separately list each project or reach of conveyance to be replaced, along with proposed start and estimated completion dates.

- 5) Pump Station Maintenance: Describe each pump station, location, flow monitoring (wet and dry weather), and the previous year's operational problems and overflows.

- 6) Alternate Power Supply for Pump Station Operation: Describe alternate power supply for each pump station within the Permittee's system.

14. Fiscal Resources: The Permittee shall provide a description of fiscal resources necessary to ensure system operation. The description shall include, at a minimum, the following items:

- a. Fee Structure: Quantification of current and five-year projected sewer assessment fees necessary to implement the Permittee's program, including a comparison of fees collected by the Permittee with those collected by each local wastewater collection entity.
- b. Available Fiscal Resources: Actual and five-year projected budget expenses for staffing, operation, and replacement of the collection system, including a description of a capital improvement or sinking fund to provide funding for item 16.e, below.

15. Personnel and Training: Infiltration, inflow, and spill prevention measures shall provide a description of staffing available to ensure system operation. The program shall include, at a minimum, the following items:

- a. Personnel: Identify specific individuals (and job titles) who are responsible for developing, implementing, and revising the Permittee's program. Provide an organizational chart of all staff, positions, duties, and training

received during the past year. Identify managers and provide a list of contacts with associated telephone numbers.

- b. Training: List the frequency of training, the qualifications of each employee, and coordination efforts between the District and local wastewater collection entities. Periodic dates for training shall be identified.

16. Planning and Reporting: Infiltration, inflow, and spill prevention measures shall provide a description of planning efforts and reporting of system operation. The program shall include, at a minimum, the following items:

- a. Spill Response: Describe a plan, and identify employees responsible and duties necessary to implement the Permittee's responses to spills. Identify posting, notification, and spill estimation practices used.
- b. Annual Reporting (Due February 1st of each year; see Requirement D.17 below): List spills or system problems during the previous year, cleanups, amounts, locations, and corrective actions taken to ensure similar spills or problems do not recur. A tracking or follow-up procedure shall be used to ensure appropriate response has been taken. Inspections and maintenance activities shall be documented and recorded.
- c. Offsite and Onsite Spill Alarms: Describe the current or proposed alarm system, central monitoring and information location, staffing, and response times for detecting spills from the system.
- d. Wet Season Manhole Inspections: Describe or propose frequency to conduct inspections to detect line blockage during wet season flows and to avoid system overflows, staffing, and available and anticipated equipment to ensure safe and effective inspections.
- e. Capital Improvement: Describe a current and projected work plan.

- f. Five-Year Planning: Describe projected planning efforts.

- g. 20-Year Planning: Describe long-term planning efforts.

17. The Permittee shall provide an annual report, due February 1st of each year, describing infiltration, inflow, and spill prevention measure development and permit compliance over the previous calendar year. The reports shall be of sufficient content as to enable the Regional Board to determine compliance with all requirements.

E. PRETREATMENT REQUIREMENTS.

1. The Discharger shall be responsible and liable for the performance of all Control Authority pretreatment requirements contained in 40 CFR 403, including any subsequent regulatory revisions. Where 40 CFR 403 places mandatory actions upon the Discharger as Control Authority but does not specify a timetable for completion of the actions, the Discharger shall complete the required actions within six (6) months from the issuance date of this Order and Permit or the effective date of the 40 CFR 403 revision, whichever comes later. For violations of pretreatment requirements, the Discharger shall be subject to enforcement actions, penalties, fines, and other remedies by the Regional Board or EPA, as provided in the CWA, as amended (33 U.S.C. 1251 et seq.). The Discharger shall implement and enforce its Approved POTW Pretreatment Program.
2. The Discharger's Approved POTW Pretreatment Program is hereby made an enforceable condition of this Order and Permit. The Regional Board or EPA may initiate enforcement action against an industrial user (IU) for noncompliance with applicable standards and requirements as provided in the CWA.
3. The Discharger shall enforce the requirements promulgated under sections 307(b), 307(c), 307(d), and 402(b) of the CWA with timely, appropriate, and effective enforcement actions. The Discharger shall cause all industrial users subject to Federal Categorical Standards to achieve compliance no later than the date specified in those requirements or, in the case of a new industrial user, upon commencement of the discharge.

4. The Discharger shall perform the pretreatment functions as required in 40 CFR 403 including, but not limited to:
 - a. Implement the necessary legal authorities as provided in 40 CFR 403.8(f)(1);
 - b. Enforce the pretreatment requirements under 40 CFR 403.5 and 403.6;
 - c. Implement the programmatic functions as provided in 40 CFR 403.8(f)(2); and
 - d. Provide the requisite funding and personnel to implement the pretreatment program as provided in 40 CFR 403.8(f)(3).
5. The Discharger shall comply with the urban area pretreatment program requirements under CWA Section 301(h) and the implementing requirements at 40 CFR 125. The Discharger's actions to comply shall include the following:
 - a. During each calendar year, maintain a rate of significant noncompliance (SNC), as defined at 40CFR 403.8(f)(2)(vii), for significant industrial users (SIUs) of no more than 15 percent of the total number of SIUs.

The 15 percent noncompliance criteria includes only SIUs that are in SNC and which have not received at least a second-level formal enforcement action from the Discharger, in accordance with the Enforcement Response Plan included in Appendix K-2 of the Discharger's April 1995 301(h) variance application. The second level of enforcement is an Administrative Notice and Order.
 - b. Provide the annual analysis regarding local limits required under 40 CFR 125.65(c)(1)(iii). As a consequence of any new local limits, some SIUs may need time to come into compliance with those limits. In any such cases, the Discharger shall issue a Compliance Finding of Violation and Order, which is the first level of formal enforcement in its Enforcement Response Plan. The Order shall contain a schedule for achieving compliance with the new local limits. SIUs receiving such Orders will not be included in the 15 percent noncompliance criteria.

F. BIOSOLIDS REQUIREMENTS

(Note: Language in this section was provided by EPA as standard language for use in NPDES permits. "Biosolids" refers to non-hazardous sewage sludge as defined in 40 CFR 503.9. Sewage sludge that is hazardous as defined in 40 CFR 261 must be disposed in accordance with the Resource Conservation and Recovery Act (RCRA). Sludge with PCB levels greater than 50 mg/kg must be disposed in accordance with 40 CFR 761.)

1. Management of all solids and sludge must comply with all requirements of CFR Parts 257, 258, 501, and 503, including all monitoring, record-keeping, and reporting requirements. Since the State of California, hence the Regional and State Boards, has not been delegated the authority by the EPA to implement the biosolids program, enforcement of biosolids requirements of CFR Part 503 will occur under EPA's jurisdiction at this time.
2. All biosolids generated by the permittee shall be used or disposed of in compliance with the applicable portions of:
 - a. 40 CFR 503: for biosolids which are land applied (placed on the land for the purpose of providing nutrients or conditioning the soil for crops or vegetation), placed in surface disposal sites (placed on the land at dedicated land disposal sites or monofills for the purpose of disposal), stored, or incinerated;
 - b. 40 CFR 258: for biosolids disposed in municipal solid waste landfills; and,
 - c. 40 CFR 257: for all biosolids use and disposal practices not covered under 40 CFR 258 or 503.

40 CFR 503 Subpart B (land application) applies to biosolids applied for the purpose of enhancing plant growth or for land reclamation. 40 CFR 503 Subpart C (surface disposal) applies to biosolids placed on the land for the purpose of disposal.

The Permittee is responsible for ensuring that all biosolids produced at its facility are used or disposed of in compliance with these regulations, whether the Permittee uses or disposes of the biosolids itself or transfers them to another party for further treatment, use, or disposal. The

Permittee is responsible for informing subsequent preparers, applicators, and disposers of the requirements that they must meet under 40 CFR 257, 258, and 503.

3. Duty to mitigate: The Permittee shall take all reasonable steps to prevent or minimize any biosolids use or disposal in violation of applicable regulations and/or which has a likelihood of adversely affecting human health or the environment.
4. No biosolids shall be allowed to enter wetlands or other waters of the United States.
5. Biosolids treatment, storage, use, or disposal shall not contaminate groundwater.
6. Biosolids treatment, storage, use, or disposal shall not create a nuisance such as objectionable odors or flies.
7. The Permittee shall assure that haulers transporting biosolids off site for treatment, storage, use, or disposal take all necessary measures to keep the biosolids contained.
8. If biosolids are stored for over two years from the time they are generated, the Permittee must ensure compliance with all the requirements for surface disposal under 40 CFR 503 Subpart C, or must submit a written notification to EPA with the information in Section 503.20(b), demonstrating the need for longer temporary storage.
9. Any biosolids treatment, disposal, or storage site shall have facilities adequate to divert surface runoff from adjacent areas, to protect the site boundaries from erosion, and to prevent any conditions that would cause drainage from the materials at the site to escape from the site. Adequate protection is defined as protection from at least a 100-year storm and from the highest tidal stage that may occur.
10. The discharge of biosolids shall not cause waste material to be in a position where it is, or can be, conveyed from the treatment and storage sites and deposited in the waters of the State.
11. The Permittee shall design its pretreatment program local discharge limitations to achieve the

metals concentration limits in 40 CFR 503.13 Table 3.

12. Inspection and Entry: The EPA, Regional Board, or an authorized representative thereof, upon the presentation of credentials, shall be allowed by the Permittee, directly or through contractual arrangements with their biosolids management contractors, to:
 - a. Enter upon all premises where biosolids produced by the Permittee are treated, stored, used, or disposed, either by the Permittee or by another party to whom the Permittee transfers the biosolids for treatment, storage, use, or disposal;
 - b. Have access to and copy any records that must be kept under the conditions of this permit or of 40 CFR 503, by the Permittee or by another party to whom the Permittee transfers the biosolids for further treatment, storage, use, or disposal, and;
 - c. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations used in the biosolids treatment, storage, use, or disposal by the Permittee or by another party to whom the Permittee transfers the biosolids for treatment, storage, use, or disposal.
13. Monitoring shall be conducted in accordance with the Monitoring and Reporting Program (MRP) of this Order (see MRP Section III, *Biosolids Monitoring, Reporting, and Notification*):
14. All the requirements of 40 CFR 503 and 23 CCR 15 are enforceable by the EPA and this Regional Board whether or not the requirements are stated in an NPDES permit or any other permit issued to the Permittee.

G. PROVISIONS

1. This Order shall serve as a NPDES permit pursuant to section 402 of the CWA or amendments thereto, and as Waste Discharge Requirements pursuant to the California Water Code. This Order and Permit shall first be adopted by the Regional Board and then signed by the Regional Administrator. This Order shall become effective upon the date of adoption by the Regional

- Board. This Permit shall become effective 33 days after the date of signature by the Regional Administrator.
2. The requirements of this Order supersede requirements prescribed by Order No. 96-21, adopted by the Regional Board on July 26, 1996. Order No. 96-21 is hereby rescinded.
 3. The Discharger shall comply with the attached Monitoring and Reporting Program (MRP) No. R3-2004-0129, as ordered by the Executive Officer and the Regional Administrator. The Executive Officer may revise the MRP if the proposed revisions do not effectively relax the requirements. Proposed revisions which may effectively relax MRP requirements shall be enacted through the authorization of the Regional Board and the Regional Administrator.
 4. The Discharger shall comply with all items of the attached *Standard Provisions and Reporting Requirements for the National Pollutant Discharge Elimination System*, dated January 1985, except Item C.18. Oral and written reports required by Item C.4 that pertain to disinfection shall also be made available to active local mariculture growers, as identified by the California Department of Health Services.

Paragraph (a) of item E.1 shall apply only if the bypass is for essential maintenance to assure efficient operation.
 5. This Order and Permit expire five (5) years from its effective date (see Provision G.1), and the Discharger must file a report of waste discharge with the Regional Board and EPA, in accordance with Title 22 of the California Administrative Code, no later than six (6) months in advance of such date, as application for issuance of waste discharge requirements and NPDES permit.
 6. A copy of this Order and Permit shall be maintained at the discharge facility and be available at all times to operating personnel.
 7. In the event of any change in name, ownership, or control of these waste disposal facilities, the Discharger shall notify the succeeding owner or operator of the existence of this Order and Permit by letter, a copy of which shall be forwarded to the Executive Officer and the Regional Administrator.
 8. These requirements do not exempt the operator of this facility from compliance with any other laws, regulations, and ordinances which may be applicable; they do not legalize this waste disposal facility, and they leave unaffected any further restraint on the disposal of wastes at this site which may be contained in other statutes or required by other agencies.
 9. The Discharger shall submit annually to EPA all influent, effluent, and receiving water monitoring data for inclusion in the STORET data base. The data shall be submitted in an electronic format specified by EPA.
 10. This Order and Permit may be modified, revoked and reissued, or terminated in accordance with the provisions of 40 CFR 122.44, 122.62 through 122.64, 125.62, and 125.64. Cause for taking such action includes, but is not limited to: failure to comply with any condition of this Order and Permit, endangerment to human health or the environment resulting from the permitted activity, or acquisition of newly obtained information which would have justified the application of different conditions if known at the time of Order adoption and Permit issuance. The filing of a request by the Discharger for an Order and Permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order and Permit.
 11. Waste management systems that discharge to the ocean must be designed and operated in a manner that will maintain the indigenous marine life and a healthy and diverse marine community^B.
 12. Waste effluents shall be discharged in a manner which provides sufficient initial dilution to minimize the concentrations of substances not removed in the treatment^B.
 13. Waste that contains pathogenic organisms or viruses should be discharged a sufficient distance from shellfishing and water-contact sports areas to maintain applicable bacterial standards without disinfection. Where conditions are such that an adequate distance cannot be attained, reliable disinfection in conjunction with a reasonable separation of the discharge point from the area of use must be provided. Disinfection procedures that do not increase effluent toxicity and that constitute the

least environmental and human hazard should be used^B.

14. The State Board is authorized to administer and enforce effluent limitations established pursuant to the Federal Clean Water Act. Effluent limitations established under Sections 301, 302, 306, 307, 316, 403, and 405 of the aforementioned Federal Act and administrative procedures pertaining thereto are included in the Ocean Plan by reference. Compliance with Ocean Plan Table A effluent limitations, or Environmental Protection Agency Effluent Limitations Guidelines for industrial discharges, based on Best Practicable Control Technology, shall be the minimum level of treatment acceptable under the Ocean Plan, and shall define reasonable treatment and waste control technology^B.
15. The Discharger must submit to the Regional Board and EPA a Toxicity Reduction Evaluation (TRE) workplan (or any appropriate updates to the existing plan) within 60 days of Order and Permit issuance.

Where toxicity monitoring shows a violation of the toxicity limitations identified in Discharge Specification B.4 of this Order, the Discharger shall be considered in violation of this Order and shall

increase the frequency of toxicity testing to once per week and submit the data within 15 days of the conclusion of the weekly test to the Regional Board Office. The Executive Officer will determine whether enforcement action will be initiated or whether the Discharger will be required to implement the TRE requirements and existing workplan.

The basis of the TRE shall be EPA's *Methods for Aquatic Toxicity Identification Evaluations: Phase I, Toxicity Characterization Procedures*, 2nd Edition, 1991b (EPA 600-6-91-003), *Methods for Aquatic Toxicity Identification Evaluations: Phase II, Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity*, 1993a (EPA 600-R-92-080), *Methods for Aquatic Toxicity Identification Evaluations: Phase III, Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity*, 1993b (EPA 600-R-92-081), and *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants* (EPA 833-B-99-002, August 1999, or revised editions.

The Discharger shall implement a TRE as outlined below.

TOXICITY REDUCTION EVALUATION

Upon identifying noncompliance, in accordance with the reporting requirement noted above, the discharger shall initiate a TRE according to the following schedule:

<u>TASK</u>	<u>DEADLINE</u>
1. Take all reasonable measures necessary to immediately reduce toxicity, where source is known;	Within 24 hours of the identification of noncompliance
2. Initiate the TRE;	Within 7 days of the noncompliance
3. Initiate a Toxicity Identification Evaluation (TIE);	See MRP Endnote [18]C.2
4. Report TIE findings and other preliminary actions taken per MRP Endnote [18]D;	Within 15 days of completion
5. Conduct the TRE following the procedures in the plan;	One year period or as specified in the plan
6. Submit results of the TRE to Regional Board and USEPA; include summary of findings, corrective action required, and data generated;	Within 60 days of completion of the TRE

7. Complete TRE implementation to meet permit limits and conditions; To be determined by the EO
8. Return to regular monitoring upon final implementation of controls and approval of the EO. To be determined by the EO

This certifies that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on **November 19, 2004**, and of an NPDES permit issued by the U.S. Environmental Protection Agency, Region IX, on _____.

Roger W. Briggs, Executive Officer
California Regional Water Quality Control Board
Central Coast Region

Alexis Strauss, Acting Director
Water Management Division
U.S. Environmental Protection Agency, Region IX
For the Regional Administrator